

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:

Applicant: CHANG, Kwen-Jen, et al.

Application No.: 10/749,437

Date Filed: December 31, 2003

Title: CARDIOPROTECTIVE
DELTA OPIOID RECEPTOR
AGONISTS AND METHODS
OF USING SAME

) Docket No.: 4080-130

) Examiner: Unassigned

) Art Unit: Unassigned

) Conf. No.: Unassigned

) Customer No.:

23448

FIRST CLASS MAIL CERTIFICATE

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, and First Class Mailed under the provisions of 37 CFR 1.8.

Candace White

May 4, 2004

Date of Mailing

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
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Alexandria, VA 22313-1450

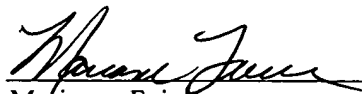
Sir:

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. One copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

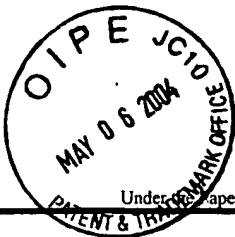
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).
- ☐ c. Attached is our check no. _____ in the amount of \$_____ in payment of the fee under 37 C.F.R. §1.17(p). Please credit or debit Deposit Account No. _____ as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check no. _____ in the amount of \$180.00 in payment of the petition fee under 37 C.F.R. §1.17(p). Please credit or debit Deposit Account No. _____ as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).

Respectfully submitted,



Mafianne Fuierer
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TECHNOLOGY LAW
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 1 of 2

COMPLETE IF KNOWN

Application Number	10/749,437
Filing Date	December 31, 2003
First Named Inventor	CHANG, Kwen-Jen
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	4080-130

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	AA	US-6,026,817		02/22/2000	Clemens
	AB	US-6,262,062		07/17/2001	Clemens
	AC	US-6,103,722		08/15/2000	Schultz, et al.
	AD	US-2002/0045636	04/18/2002		Clemens
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*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

¹ All the foreign patents and publications that are not written in English language are accompanied by their respective English abstracts, which constitute concise explanation of relevance of the non-English patents and publications that satisfy the requirements of 37 C.F.R. § 1.98(a)(3)(i), according to MPEP 609 III A(3).

<p align="center">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p align="center">Sheet 2 of 2</p>	<i>COMPLETE IF KNOWN</i>	
	Application Number	10/749,437
	Filing Date	December 31, 2003
	First Named Inventor	CHANG, Kwen-Jen
	Art Unit	Unassigned
	Examiner Name	Unassigned
	Attorney Docket Number	4080-130

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	AE	PATEL, Hemal H., et al. "BW373U86, a δ Opioid Agonist, Partially Mediates Delayed Cardioprotection via a Free Radical Mechanism that is Independent of Opioid Receptor Stimulation." <i>Journal of Molecular Cell Cardiology</i> , Vol. 33, (2001), pp. 1455-1465.	
	AF	PATEL, Hemal H., et al. "Delta opioid agonists and volatile anesthetics facilitate cardioprotection via potentiation of K _{ATP} channel opening." <i>FASEB J.</i> , Vol. 16, (2002),pp. 1468-1470.	
	AG	LASUKOVA, T. V., et al. "Effect of <i>in Vivo</i> and <i>in Vitro</i> Stimulation of δ_1 -Opioid Receptors on Myocardial Resistance to Arrhythmogenic Action of Ischemia and Reperfusion." <i>Bulletin of Experimental Biology and Medicine</i> , No. 4, (2002), pp. 359-362.	
	AH	MURRY, C.E. et al. "Preconditioning with ischemia: a delay of lethal cell injury in ischemic myocardium." <i>Abstract from Circulation</i> , Vol. 74, No. 5, (1986), pp. 1124-1136.	

Examiner signature		Date Considered	
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*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

² Applicant is to place a check mark here if English Translation is attached. All the foreign patents and publications that are not written in English language are accompanied by their respective English abstracts, which constitute concise explanation of relevance of the non-English patents and publications that satisfy the requirements of 37 C.F.R. §1.98(a)(3)(i), according to MPEP 609 III A(3).